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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

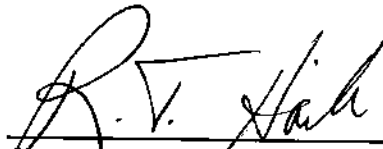
THE OFFSHORE DRILLING COMPANY \* CIVIL ACTION NO. 04-2512  
VERSUS \* JUDGE RICHARD T. HAIK  
RODNEY N. NESS, JR. \* MAGISTRATE JUDGE METHVIN

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**ORDER**  
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Pending before the Court is The Offshore Drilling Company's, hereinafter TODCO's, Motion to Exclude the Report and Testimony of Hector V. Pazos (Doc.#39). TODCO contends that the report and testimony of Rodney N. Ness's expert, Hector V. Pazos, fails the reliability and relevance requirements of the Federal Rules of Evidence as prescribed by the Supreme Court in *Daubert v. Merrel Dow Pharmaceuticals*, 509 U.S. 579 (1993), and its progeny.

After due consideration of the parties' memoranda, it is HEREBY ORDERED that TODCO's Motion to Exclude the Report and Testimony of Hector V. Pazos (Doc.#39) is HEREBY DENIED.

THUS DONE AND SIGNED at Lafayette, Louisiana, this 24<sup>th</sup> day of July 2006.

  
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CHIEF JUDGE RICHARD T. HAIK, SR.  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA